

From: ksvm
To: Microsoft ATR
Date: 11/27/01 7:16pm
Subject: Microsoft Settlement

Antitrust Division
U.S. Department of Justice

RE: To be entered into the record of U.S. v Microsoft

Dear Honorable Persons:

I am writing to ask you to reject the Final Judgment that has been proposed as the punishment for the charges which Microsoft Corporation has been found guilty. I do not believe that this proposal represents any safeguard or insurance of future protection for the consumer from Microsoft's monopolistic and predatory practices which were outlined in the Findings of Fact.

In particular, I am appalled with the proposal for a three member review board which is made up of a Department of Justice representative that is pro Microsoft; a Microsoft employee; and a third member picked by the other two. There is no one in this equation that is unbiased. The proposed solution also lacks a means for enforcement if Microsoft violates the agreement. It only returns us to a court battle and completely avoids the issue of Microsoft's abuse of its monopoly power. Equally important, this remedy lacks opportunity for any public review. How is it that a corporation who is accused of harming the public can be reviewed by a board that appears to be heavily pro Microsoft and, is allowed to conduct business to protect the public in private. The fact that the three member board is paid by Microsoft only makes this more ludicrous.

As a consumer I have been personally harmed by Microsoft's monopoly in the software industry in the following ways: Microsoft has changed or tweaked standards to make them work better or exclusively with Microsoft products. If I want to share information with a client or colleague that does not conform to their standards I am either hampered or prevented from doing so. My productivity is compromised because Microsoft does not feel they have to comply with the standards that have been determined by their industry. Computer companies that provided alternative products and software applications are no longer on the market. Microsoft has either absorbed them or bought them to prevent competition with their products. For the consumer, this means less choice, fewer applications and fewer 'innovative' new products that are able to be brought onto the market. Microsoft includes messages into its software to dissuade the user from using a non Microsoft solution such as Netscape Navigator and Apple Computer's QuickTime. These messages provided by Microsoft are nothing short of fear tactics for

the purpose of intimidating the user and leading the user to a Microsoft's product.

Microsoft's behavior is criminal and deserves a strong remedy. I have heard arguments that the government should not be wasting it's time and money punishing a corporation during a weak economy. This is not a matter where a weak economy should be made the scapegoat for Microsoft. A weak judgment by the court in this matter will send a very clear message to Microsoft , to other corporations and to the American people. That message being that illegal, unethical behavior by a corporation will be condoned by our government.

Please prove that our justice system is just by rejecting the proposed remedy which does little to address the seriousness of their abusive behavior and to prevent or discourage future antitrust violations by Microsoft Corporation.

Respectfully,

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